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9 Cranch (U. S.) 388, and concludes "that merchant vessels are under no circumstances subject to attack on the ground that they are armed for defence." This seems hardly reconcilable with the practice followed by American privateers during the War of 1812, nor with Chief Justice Marshall's views on the status of the armed merchantman. *The Nereide* (p. 430).

While Judge Davis' chapters on the law of war and neutrality are still useful contributions, well adapted to college courses, the law student has been furnished with better elementary text-books, particularly those of Hershey and Wilson. For the older cases and literature, the footnote references of Davis may still be found useful. The book is well indexed.

EDWIN M. BORCHARD.

The Public Defender; A Necessary Factor in the Administration of Justice. By Mayer C. Goldman, of the New York Bar. Published by G. P. Putnam's Sons, New York. 1917. Pp. ix, 96.

This well-written little book presents in orderly style and in an interesting way the arguments in favor of a state-paid attorney to defend indigent defendants accused of crime. The arguments presented are general, and no specific details concerning the administration of the office are advocated. The question is a live one and has received some attention in the JOURNAL OF CRIMINAL LAW. It may be noted that committees of the New York City Bar Association and of the New York County Lawyers' Association have reported unfavorably upon the plan. Their reason seems to be that accused persons are adequately safeguarded under the present system.

Mr. Robert Ferrari, who is a distinguished advocate of the plan, believes it should be the duty of the Defender to act for a prisoner even though he should believe him to be guilty (see his article in the JOURNAL OF CRIMINAL LAW, May, 1915). From the language used by Mr. Goldman on page 67 of his book, his idea seems to be that the Defender should not defend a prisoner under such circumstances. Inasmuch as the plan contemplates work in the lower as well as in the appellate courts, Mr. Ferrari's idea seems impracticable because of the immense amount of business with which the Defender would be burdened. If, as Mr. Goldman advocates, a discretion be vested in the Defender as to what cases he will defend, that officer will partially usurp the

function of the court in deciding the guilt or innocence of the prisoner. Many distinguished lawyers hold that a private attorney is not justified in refusing to defend merely because of his personal conviction that his would-be client is guilty, since that is a question for the court to decide. Such reasoning should apply with more force to a public officer of this character.

True to the style of the enthusiastic reformer, Mr. Goldman writes rather contemptuously of the "cure-alls" urged as substitutes for the Public Defender plan. To the reviewer it seems that Mr. Goldman may be living in a glass house, for he evidently claims more advantages for his plan than he is justified in doing.

In August of last year the Institute of Criminal Law and Criminology recommended a committee to consider the question of the Public Defender. The report of this committee will be well worth reading.

A. E. HOWARD, JR.

International Realities. By Philip Marshall Brown, Professor of International Law at Princeton University. Published by Charles Scribner's Sons, New York. 1917. Pp. xi, 233.

This is an exceedingly suggestive and stimulating work. In its preface the author tells us that he has set himself "the task of endeavoring to ascertain the fundamental values in international relations," and he frankly expects that "the points of view advanced will be subjected to considerable criticism." "I feel," he adds, "that I shall have accomplished my purpose, however, if discussion shall have been provoked."

In Chapter I, entitled "International Realities," which contains a candid examination of the principles lying at the base of international law, our author tells us that "the basic principle which establishes judicial precedents and crystallizes international law as a science is that the interests of nations must be mutually respected because of what Gareis well terms 'anticipated advantages of reciprocity as well as fear of retaliation.'" "This powerful sanction, this compulsive force of reciprocal advantage and fear of retaliation, is nothing else in its essence than the Golden Rule as formulated by Thomasius: 'Do unto others for thine own sake what thou wouldst that others should do unto thee, and, in so doing, accept a law from which thou canst not escape.'" While appreciating, to the full, the merits of Thomasius as one